

EXHIBIT B

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PROTON MANAGEMENT LTD.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

ELECTRIC SOLIDUS, INC. d/b/a
SWAN BITCOIN, a Delaware
corporation,

Plaintiff,

v.

PROTON MANAGEMENT LTD., a
British Virgin Islands corporation;
THOMAS PATRICK FURLONG;
ILIOS CORP., a California corporation;
MICHAEL ALEXANDER HOLMES;
RAFAEL DIAS MONTELEONE;
SANTHIRAN NAIDOO; ENRIQUE
ROMUALDEZ; and LUCAS
VASONCELOS,

Defendants.

Case No. 2:24-cv-08280-MWC-E

**SPECIALLY APPEARING
DEFENDANT PROTON
MANAGEMENT LTD'S
RESPONSES AND OBJECTIONS
TO PLAINTIFF'S FIRST
TARGETED REQUEST FOR
PRODUCTION**

Am. Complaint filed: January 27, 2025

1 PROPOUNDING PARTY: Plaintiff ELECTRIC SOLIDUS, INC. d/b/a SWAN
2 BITCOIN

3 RESPONDING PARTY: Defendant PROTON MANAGEMENT LTD

4 SET NO.: One (1)

5 Pursuant to Federal Rule of Civil Procedure 34, Specially Appearing
6 Defendant PROTON MANAGEMENT LTD (“Responding Party”) submits these
7 responses and objections to the First Set of Targeted Requests for Production
8 (“Requests”) propounded by Plaintiff ELECTRIC SOLIDUS, INC. d/b/a SWAN
9 BITCOIN (“Propounding Party”).

10 **PRELIMINARY STATEMENT**

11 The following responses are made solely for the purpose of, and in relation to,
12 this action. Each response is provided subject to all appropriate objections
13 (including, without limitation, objections concerning competency, relevancy,
14 materiality, propriety, and admissibility) that would require the exclusion of any
15 statement contained herein if the statement were made by a witness present and
16 testifying in court. All such objections and grounds therefore are reserved and may
17 be interposed at the time of trial.

18 The following responses are based on the facts and information presently
19 known and available to Responding Party. Discovery, investigation, research, and
20 analysis are still ongoing in this case and may disclose the existence of additional
21 facts, add meaning to known facts, establish entirely new factual conclusions or
22 legal contentions, or possibly lead to additions, variations, or changes to these
23 responses. Without being obligated to do so, Responding Party reserves the right to
24 change or supplement these responses as additional facts are discovered, revealed,
25 recalled, or otherwise ascertained, and as further analysis and research disclose
26 additional facts, contentions or legal theories which may apply.

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GENERAL OBJECTIONS TO REQUESTS FOR PRODUCTION

1. Responding Party objects to the Requests as premature because the Court lacks personal jurisdiction over Proton, and Proton has filed a Motion to Dismiss Swan’s Amended Complaint under Rule 12(b)(2) for lack of personal jurisdiction. (Dkt. 121.) Discovery is improper and should be stayed where a party is challenging a court’s jurisdiction. See, e.g., *Stussy, Inc. v. Shein*, No. 8:22-cv-00379-CJC-KESx, 2022 U.S. Dist. LEXIS 219209, at *18 (C.D. Cal., Sept. 23, 2022) (denying motion to compel discovery and ordering stay pending court’s ruling on Rule 12 motion for lack of personal jurisdiction); *Cooper v. Shoei Safety Helmet Corp.*, No. 2:17-CV-03129-JAD-EJY, 2019 U.S. Dist. LEXIS 215343, at *6-7 (D. Nev. Dec. 9, 2019) (same); *Canter & Assocs., LLC v. Teachscape, Inc.*, No. C 07-3225 RS, 2008 WL 191978, at *1, n. 2 (N.D. Cal. Jan. 22, 2008) (denying motion to compel and stating defendant challenging court’s subject matter jurisdiction was within its rights to object); *United States v. Dynamic Medical Systems, LLC*, No. 1:17-cv-01757-NONE-SAB, 2020 U.S. Dist. LEXIS 99338, at *3-4, 19 (granting defendant’s motion to stay discovery pending motion to dismiss); *PlayUp, Inc. v. Mintas*, 635 F. Supp 3d 1087 (D. Nev. 2022) (“a personal jurisdiction challenge generally favors a stay of discovery”).

2. Responding Party objects to the Requests in their entirety, and to each individual request therein, on the grounds that they were not properly served. Responding Party received the Requests as a redacted attachment to the Joint 26(f) Report (Dkt. 115-3). The Requests were not “served via electronic mail to counsel for Defendants” as stated in the Certificate of Service attached to the Requests.

3. Responding Party objects to the Requests in their entirety, and to each request therein, on the grounds that Propounding Party has failed to comply with Cal. Civ. Proc. Code § 2019.210, which requires Propounding Party to identify with reasonable particularity the trade secrets it alleges that any defendant misappropriated before commencing discovery, as required by Section H of the

1 Court's Scheduling Order (Dkt. 95).

2 4. Responding Party objects to each and every request for production
3 contained in the Requests to the extent that it seeks information that is protected
4 from disclosure by the attorney-client privilege, work product doctrine, or any other
5 applicable privilege or protection. Responding Party does not waive any protections
6 or privileges by responding to the Requests. Any inadvertent disclosure of
7 privileged information or work product in response to the Requests shall not
8 constitute a waiver of any privilege or protection.

9 5. Responding Party objects to each and every request for production
10 contained in the Requests to the extent that it purports to impose any requirement or
11 discovery obligation on them that is inconsistent with, or not authorized by, those
12 set forth in the Federal Rules of Civil Procedure. Responding Party will construe
13 the Requests in a manner consistent with the Federal Rules of Civil Procedure.

14 6. Responding Party objects to each and every request for production
15 contained in the Requests to the extent that it is overbroad and subjects Responding
16 Party to unreasonable and undue annoyance, oppression, embarrassment, burden,
17 and expense, and seeks information which is beyond the scope of permissible
18 discovery and is neither relevant to any party's claims or defenses nor proportional
19 to the needs of the case.

20 7. Responding Party objects to each and every request for production
21 contained in the Requests to the extent that it is ambiguous, confusing, or vague.

22 8. Responding Party objects to each and every request for production
23 contained in the Requests to the extent that it is unreasonably cumulative or
24 duplicative.

25 9. Responding Party objects to each and every request for production
26 contained in the Requests to the extent that it would require Responding Party to
27 draw a legal conclusion in order to make a proper response.

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1 10. Responding Party objects to each and every request for production
2 contained in the Requests to the extent that it seeks information (i) which is a matter
3 of public record, (ii) which is not in the possession, custody or control of
4 Responding Party and/or (iii) which is equally or more readily available from
5 another source, including Propounding Party's own files and records, that is more
6 convenient, less burdensome, or less expensive to Responding Party.

7 11. Responding Party objects to each and every request for production
8 contained in the Requests to the extent that it calls for the production of confidential,
9 proprietary, trade-secret, or other information in which individuals, including non-
10 parties, have an expectation of privacy. Responding Party further objects to each
11 and every request for production contained in the Requests to the extent it seeks
12 information protected by the privacy protection of the California Constitution, or
13 any other law, statute, or doctrine.

14 12. Responding Party objects to each and every request for production
15 contained in the Requests on the grounds that it is not restricted to a reasonable and
16 relevant time period and is therefore unduly burdensome to Responding Party.

17 13. Responding Party objects to the Requests to the extent that it seeks to
18 use the discovery process in this action to obtain documents for any purpose other
19 than for use in connection with claims and defenses currently raised in this action.

20 14. The fact that Responding Party has responded or objected to any
21 document requests, or part thereof, should not be taken as an admission that
22 Responding Party accepts that the document request or the response or the objection
23 thereto constitutes admissible evidence.

24 15. Responding Party reserves the right to supplement, modify or otherwise
25 change their response to the Requests as they develop new, better, additional or
26 different information.

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OBJECTIONS TO DEFINITIONS

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2 1. Responding Party objects to the definition of “Communication” as
3 overly broad, unduly burdensome, vague, ambiguous and unintelligible to the extent
4 it includes “whether or not the Communication was ever disclosed, sent, or
5 transmitted.” For purposes of responding to the Interrogatories, Responding Party will
6 exclude the portion noted above from the definition of “Communications” in the
7 Interrogatories, and interpret the otherwise overbroad definition not to impose a
8 burden beyond what is required by the Federal Rules of Civil Procedure, the Federal
9 Rules of Evidence, and the Local Civil Rules of the U.S. District Court for the Central
10 District of California.

11 2. Responding Party objects to the definition of “Defendant” and
12 “Defendants” as overly broad, unduly burdensome, vague, ambiguous and
13 unintelligible to the extent that it includes Responding Party’s “members, employees,
14 representatives, officers, directors, managers, agents, attorneys, assigns, predecessors,
15 affiliates, parents, subsidiaries, and any other entities or Persons acting or purporting
16 to act on their behalf.” For purposes of responding to the Interrogatories, Responding
17 Party will interpret “Defendant” and “Defendants” as referring to the named
18 Defendants.

19 3. Responding Party object to the definition of “You”, “Your”, “Yourself”,
20 or “Proton” as overly broad, unduly burdensome, vague, ambiguous and
21 unintelligible to the extent that it includes “any of its members, employees,
22 representatives, officers, directors, managers, agents, attorneys, assigns, predecessors,
23 affiliates, parents, subsidiaries, and any other entities or Persons acting or purporting
24 to act on its behalf.” For purposes of responding to the Interrogatories, Responding
25 Party will interpret “Proton” as referring to Defendant Proton Management Ltd.

26 4. Individual Defendants object to the definition of “Individual
27 Defendants” as overly broad, unduly burdensome, vague, ambiguous and
28 unintelligible to the extent that it includes “any of their members, employees,

1 representatives, officers, directors, managers, agents, attorneys, assigns, predecessors,
2 affiliates, parents, subsidiaries, and any other entities or Persons acting or purporting
3 to act on their behalf.” For purposes of responding to the Interrogatories, Responding
4 Party will interpret “Individual Defendants” as referring to the Individual Defendants.

5 5. Responding Party objects to the definition of “Tether” and “Defendants”
6 as overly broad, unduly burdensome, vague, ambiguous and unintelligible to the
7 extent that it includes entities or individuals other than Tether Investments Limited.
8 For purposes of responding to the Interrogatories, Responding Party will interpret
9 “Tether” as referring to the named Tether Investment Limited.

10 **RESPONSES TO REQUESTS FOR PRODUCTION**

11 **REQUEST FOR PRODUCTION NO. 1:**

12 Documents sufficient to show, for all Bitcoin mined by Proton (to include
13 Bitcoin mined by mining pools Proton is a member of):

14 a) the wallet address(es) to which that Bitcoin has been deposited,
15 the Persons with access to or control over each wallet, and the
16 corporate ownership of each Person; and

17 b) the amount of Bitcoin deposited in each wallet, and when deposited.

18 For the avoidance of doubt, this includes the Bitcoin wallets referenced in paragraphs
19 183-185 of the Amended Complaint, as well as any Bitcoin wallets to which Proton
20 has redirected the proceeds from the wallets described in those paragraphs of the
21 Amended Complaint. *See* Dkt. 101 ¶¶ 183-185 [PORTIONS REDACTED].

22 **RESPONSE TO REQUEST FOR PRODUCTION NO. 1:**

23 Responding Party incorporates by references the General Objections and
24 Objections to Definitions above as if fully set forth herein. Responding Party
25 objects to this request as premature because the Court lacks personal jurisdiction
26 over Proton, and Proton has filed a Motion to Dismiss Swan’s Amended Complaint
27 under Rule 12(b)(2) for lack of personal jurisdiction. (Dkt. 121.) Discovery is
28 improper and should be stayed where a party is challenging a court’s jurisdiction.

1 See, e.g., *Stussy, Inc. v. Shein*, No. 8:22-cv-00379-CJC-KESx, 2022 U.S. Dist.
2 LEXIS 219209, at *18 (C.D. Cal., Sept. 23, 2022) (denying motion to compel
3 discovery and ordering stay pending court’s ruling on Rule 12 motion for lack of
4 personal jurisdiction); *Cooper v. Shoei Safety Helmet Corp.*, No. 2:17-CV-03129-
5 JAD-EJY, 2019 U.S. Dist. LEXIS 215343, at *6-7 (D. Nev. Dec. 9, 2019) (same);
6 *Canter & Assocs., LLC v. Teachscape, Inc.*, No. C 07-3225 RS, 2008 WL 191978,
7 at *1, n. 2 (N.D. Cal. Jan. 22, 2008) (denying motion to compel and stating
8 defendant challenging court’s subject matter jurisdiction was within its rights to
9 object); *United States v. Dynamic Medical Systems, LLC*, No. 1:17-cv-01757-
10 NONE-SAB, 2020 U.S. Dist. LEXIS 99338, at *3-4, 19 (granting defendant’s
11 motion to stay discovery pending motion to dismiss); *PlayUp, Inc. v. Mintas*, 635 F.
12 Supp 3d 1087 (D. Nev. 2022) (“a personal jurisdiction challenge generally favors a
13 stay of discovery”). Responding Party objects to this request to the extent that it
14 seeks information that is protected from disclosure by the attorney-client privilege,
15 work product doctrine, or any other applicable privilege or protection. Responding
16 Party also objects to this request’s demand as being compound, overbroad, overly
17 burdensome, and harassing, and as seeking documents that are not relevant to the
18 claims or defenses in this action. Responding Party further objects to this request on
19 the grounds that it is vague, overbroad and subjects Responding Party to
20 unreasonable and undue burden and expense. Responding Party also objects to this
21 request on the grounds and to the extent that it seeks information that is not in the
22 possession, custody or control of Responding Party and/or is equally or more readily
23 available from another source which is more convenient, less burdensome, or less
24 expensive. Responding Party objects to this request to the extent that it is
25 unreasonably cumulative or duplicative of other requests for production.
26 Responding Party objects to the request in its entirety and to each individual request
27 therein, to the extent that it purports to require Responding Party to produce
28 documents that contain trade secrets of Responding Party, or other confidential

1 business, financial, proprietary, or sensitive information of Responding Party or
2 third parties without entry of a satisfactory confidentiality order. Responding Party
3 objects that this request is vague and ambiguous, including in its use of the phrases
4 “Bitcoin mined by mining pools Proton is a member of” and corporate ownership of
5 each Person”. Responding Party objects that this Request incomplete in that it states
6 that there are “Portions Redacted” which Propounding Party has not served.
7 Responding Party further objects to this Request on the grounds that Propounding
8 Party has failed to comply with Cal. Civ. Proc. Code § 2019.210, which requires
9 Propounding Party to identify with reasonable particularity the trade secrets it alleges
10 that any defendant misappropriated before commencing discovery, as required by
11 Section H of the Court’s Scheduling Order (Dkt. 95).

12 **REQUEST FOR PRODUCTION NO. 2:**

13 Documents sufficient to identify every Site that Proton is using or ever has used
14 or plans to use to mine Bitcoin, including for each site (on a weekly basis, where
15 applicable):

- 16 a) its location
- 17 b) number and type of ASICs deployed;
- 18 c) average hash rate;
- 19 d) downtime reports;
- 20 e) curtailment periods;
- 21 f) operational costs;
- 22 g) the amount of Bitcoin mined;
- 23 h) proceeds resulting from Bitcoin mining; and
- 24 i) all agreements with or relating to the Site.

25 **RESPONSE TO REQUEST FOR PRODUCTION NO. 2:**

26 Responding Party incorporates by references the General Objections and
27 Objections to Definitions above as if fully set forth herein. Responding Party
28 objects to this request as premature because the Court lacks personal jurisdiction

1 over Proton, and Proton has filed a Motion to Dismiss Swan's Amended Complaint
2 under Rule 12(b)(2) for lack of personal jurisdiction. (Dkt. 121.) Discovery is
3 improper and should be stayed where a party is challenging a court's jurisdiction.
4 See, e.g., *Stussy, Inc. v. Shein*, No. 8:22-cv-00379-CJC-KESx, 2022 U.S. Dist.
5 LEXIS 219209, at *18 (C.D. Cal., Sept. 23, 2022) (denying motion to compel
6 discovery and ordering stay pending court's ruling on Rule 12 motion for lack of
7 personal jurisdiction); *Cooper v. Shoei Safety Helmet Corp.*, No. 2:17-CV-03129-
8 JAD-EJY, 2019 U.S. Dist. LEXIS 215343, at *6-7 (D. Nev. Dec. 9, 2019) (same);
9 *Canter & Assocs., LLC v. Teachscape, Inc.*, No. C 07-3225 RS, 2008 WL 191978,
10 at *1, n. 2 (N.D. Cal. Jan. 22, 2008) (denying motion to compel and stating
11 defendant challenging court's subject matter jurisdiction was within its rights to
12 object); *United States v. Dynamic Medical Systems, LLC*, No. 1:17-cv-01757-
13 NONE-SAB, 2020 U.S. Dist. LEXIS 99338, at *3-4, 19 (granting defendant's
14 motion to stay discovery pending motion to dismiss); *PlayUp, Inc. v. Mintas*, 635 F.
15 Supp 3d 1087 (D. Nev. 2022) ("a personal jurisdiction challenge generally favors a
16 stay of discovery"). Responding Party objects to this request to the extent that it
17 seeks information that is protected from disclosure by the attorney-client privilege,
18 work product doctrine, or any other applicable privilege or protection. Responding
19 Party also objects to this request's demand as being compound, overbroad, overly
20 burdensome, and harassing, and as seeking documents that are not relevant to the
21 claims or defenses in this action. Responding Party further objects to this request on
22 the grounds that it is vague, overbroad and subjects Responding Party to
23 unreasonable and undue burden and expense. Responding Party also objects to this
24 request on the grounds and to the extent that it seeks information that is not in the
25 possession, custody or control of Responding Party and/or is equally or more readily
26 available from another source which is more convenient, less burdensome, or less
27 expensive. Responding Party objects to this request to the extent that it is
28 unreasonably cumulative or duplicative of other requests for production.

1 Responding Party objects to the request in its entirety and to each individual request
2 therein, to the extent that it purports to require Responding Party to produce
3 documents that contain trade secrets of Responding Party, or other confidential
4 business, financial, proprietary, or sensitive information of Responding Party or
5 third parties without entry of a satisfactory confidentiality order. Responding Party
6 further objects to this Request on the grounds that Propounding Party has failed to
7 comply with Cal. Civ. Proc. Code § 2019.210, which requires Propounding Party to
8 identify with reasonable particularity the trade secrets it alleges that any defendant
9 misappropriated before commencing discovery, as required by Section H of the
10 Court's Scheduling Order (Dkt. 95).

11 **REQUEST FOR PRODUCTION NO. 3:**

12 Documents sufficient to identify any Person for whom You have offered any
13 management or services relating to Bitcoin mining, including all agreements between
14 You and each such entity. For the avoidance of doubt, this request
15 includes Documents sufficient to identify any Person for whom Elektron Energy
16 has offered any management or services relating to Bitcoin mining, as well as any
17 agreements between Elektron Energy and each such Person.

18 **RESPONSE TO REQUEST FOR PRODUCTION NO. 3:**

19 Responding Party incorporates by references the General Objections and
20 Objections to Definitions above as if fully set forth herein. Responding Party
21 objects to this request as premature because the Court lacks personal jurisdiction
22 over Proton, and Proton has filed a Motion to Dismiss Swan's Amended Complaint
23 under Rule 12(b)(2) for lack of personal jurisdiction. (Dkt. 121.) Discovery is
24 improper and should be stayed where a party is challenging a court's jurisdiction.
25 See, e.g., *Stussy, Inc. v. Shein*, No. 8:22-cv-00379-CJC-KESx, 2022 U.S. Dist.
26 LEXIS 219209, at *18 (C.D. Cal., Sept. 23, 2022) (denying motion to compel
27 discovery and ordering stay pending court's ruling on Rule 12 motion for lack of
28 personal jurisdiction); *Cooper v. Shoei Safety Helmet Corp.*, No. 2:17-CV-03129-

1 JAD-EJY, 2019 U.S. Dist. LEXIS 215343, at *6-7 (D. Nev. Dec. 9, 2019) (same);
2 *Canter & Assocs., LLC v. Teachscape, Inc.*, No. C 07-3225 RS, 2008 WL 191978,
3 at *1, n. 2 (N.D. Cal. Jan. 22, 2008) (denying motion to compel and stating
4 defendant challenging court’s subject matter jurisdiction was within its rights to
5 object); *United States v. Dynamic Medical Systems, LLC*, No. 1:17-cv-01757-
6 NONE-SAB, 2020 U.S. Dist. LEXIS 99338, at *3-4, 19 (granting defendant’s
7 motion to stay discovery pending motion to dismiss); *PlayUp, Inc. v. Mintas*, 635 F.
8 Supp 3d 1087 (D. Nev. 2022) (“a personal jurisdiction challenge generally favors a
9 stay of discovery”). Responding Party objects to this request to the extent that it
10 seeks information that is protected from disclosure by the attorney-client privilege,
11 work product doctrine, or any other applicable privilege or protection. Responding
12 Party also objects to this request’s demand as being compound, overbroad, overly
13 burdensome, and harassing, and as seeking documents that are not relevant to the
14 claims or defenses in this action. Responding Party further objects to this request on
15 the grounds that it is vague, overbroad and subjects Responding Party to
16 unreasonable and undue burden and expense. Responding Party also objects to this
17 request on the grounds and to the extent that it seeks information that is not in the
18 possession, custody or control of Responding Party and/or is equally or more readily
19 available from another source which is more convenient, less burdensome, or less
20 expensive. Responding Party objects to this request to the extent that it is
21 unreasonably cumulative or duplicative of other requests for production.
22 Responding Party objects to the request in its entirety and to each individual request
23 therein, to the extent that it purports to require Responding Party to produce
24 documents that contain trade secrets of Responding Party, or other confidential
25 business, financial, proprietary, or sensitive information of Responding Party or
26 third parties without entry of a satisfactory confidentiality order. Responding Party
27 further objects to this Request on the grounds that Propounding Party has failed to
28 comply with Cal. Civ. Proc. Code § 2019.210, which requires Propounding Party to

1 identify with reasonable particularity the trade secrets it alleges that any defendant
2 misappropriated before commencing discovery, as required by Section H of the
3 Court's Scheduling Order (Dkt. 95).

4 **REQUEST FOR PRODUCTION NO. 4:**

5 Documents sufficient to show Your relationship with Elektron Energy,
6 including but not limited to Documents sufficient to show Your involvement in the
7 formation of Elektron Energy, Your involvement in the creation of Elektron-
8 Energy.com, any email addresses associated with Elektron Energy that You maintain
9 or control, and any GitHub accounts or repositories maintained by Elektron Energy
10 that relate to Bitcoin mining (including but not limited to the "elektron-tech" GitHub
11 organization and repository named "nxt").

12 **RESPONSE TO REQUEST FOR PRODUCTION NO. 4:**

13 Responding Party incorporates by references the General Objections and
14 Objections to Definitions above as if fully set forth herein. Responding Party
15 objects to this request as premature because the Court lacks personal jurisdiction
16 over Proton, and Proton has filed a Motion to Dismiss Swan's Amended Complaint
17 under Rule 12(b)(2) for lack of personal jurisdiction. (Dkt. 121.) Discovery is
18 improper and should be stayed where a party is challenging a court's jurisdiction.
19 See, e.g., *Stussy, Inc. v. Shein*, No. 8:22-cv-00379-CJC-KESx, 2022 U.S. Dist.
20 LEXIS 219209, at *18 (C.D. Cal., Sept. 23, 2022) (denying motion to compel
21 discovery and ordering stay pending court's ruling on Rule 12 motion for lack of
22 personal jurisdiction); *Cooper v. Shoei Safety Helmet Corp.*, No. 2:17-CV-03129-
23 JAD-EJY, 2019 U.S. Dist. LEXIS 215343, at *6-7 (D. Nev. Dec. 9, 2019) (same);
24 *Canter & Assocs., LLC v. Teachscape, Inc.*, No. C 07-3225 RS, 2008 WL 191978,
25 at *1, n. 2 (N.D. Cal. Jan. 22, 2008) (denying motion to compel and stating
26 defendant challenging court's subject matter jurisdiction was within its rights to
27 object); *United States v. Dynamic Medical Systems, LLC*, No. 1:17-cv-01757-
28 NONE-SAB, 2020 U.S. Dist. LEXIS 99338, at *3-4, 19 (granting defendant's

1 motion to stay discovery pending motion to dismiss); *PlayUp, Inc. v. Mintas*, 635 F.
2 Supp 3d 1087 (D. Nev. 2022) (“a personal jurisdiction challenge generally favors a
3 stay of discovery”). Responding Party objects to this request to the extent that it
4 seeks information that is protected from disclosure by the attorney-client privilege,
5 work product doctrine, or any other applicable privilege or protection. Responding
6 Party also objects to this request’s demand as being compound, overbroad, overly
7 burdensome, and harassing, and as seeking documents that are not relevant to the
8 claims or defenses in this action. Responding Party further objects to this request on
9 the grounds that it is vague, overbroad and subjects Responding Party to
10 unreasonable and undue burden and expense. Responding Party also objects to this
11 request on the grounds and to the extent that it seeks information that is not in the
12 possession, custody or control of Responding Party and/or is equally or more readily
13 available from another source which is more convenient, less burdensome, or less
14 expensive. Responding Party objects to this request to the extent that it is
15 unreasonably cumulative or duplicative of other requests for production.
16 Responding Party objects to the request in its entirety and to each individual request
17 therein, to the extent that it purports to require Responding Party to produce
18 documents that contain trade secrets of Responding Party, or other confidential
19 business, financial, proprietary, or sensitive information of Responding Party or
20 third parties without entry of a satisfactory confidentiality order. Responding Party
21 objects that this request is vague and ambiguous, including in its use of the phrases
22 “Your relationship with Elektron Energy”, “maintain”, and “maintained.”
23 Responding Party further objects to this Request on the grounds that Propounding
24 Party has failed to comply with Cal. Civ. Proc. Code § 2019.210, which requires
25 Propounding Party to identify with reasonable particularity the trade secrets it alleges
26 that any defendant misappropriated before commencing discovery, as required by
27 Section H of the Court’s Scheduling Order (Dkt. 95).

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1 Dated: March 17, 2025

BERGESON, LLP

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4 By: 

Jaideep Venkatesan

5 Attorneys for Specially Appearing Defendant
6 PROTON MANAGEMENT LTD.
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CERTIFICATE OF SERVICE


I, Emma Tofelogo-Fernandez, declare as follows:

I am an employee in Santa Clara County, the county in which the service described below occurs. My business address is 111 N. Market Street, Suite 600, San Jose, California 95113. I am over the age of eighteen (18) years and am not a party to the cause for which I am serving the document(s) named below.

I hereby certify that on March 17, 2025, I served the following document(s) described as **SPECIALY APPEARING DEFENDANT PROTON MANAGEMENT LTD'S RESPONSES AND OBJECTIONS TO PLAINTIFF'S FIRST TARGETED REQUEST FOR PRODUCTION** on the parties listed in the **SERVICE LIST** a true copy thereof and served via electronically as follows:

BY E-MAIL OR ELECTRONIC TRANSMISSION: I caused such document to be sent by other electronic means to the person(s) consented to in writing—in either of which events service is complete upon filing or sending. FRCP Title II, §5(b)(2)(E).

Executed on March 17, 2025, at San Jose, California.


Emma Tofelogo-Fernandez

SERVICE LIST

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